PLANNING & ZONING BOARD (PZB)

Right-of-Way Vacation Application

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Required Documentation & Mail Notice Requirements
Page 3: Sign Notification Requirements & Affidavit

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

NOTE: If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

NOTE: Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

____ Right-of-Way Vacation **$ 610.00**

Page 1: PZB ROW Vacation - Applicant Information Sheet

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	V19008
Date of complete submittal	

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	Kenneth Loiseau
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner
Address, City, State, Zip	911 NE 2nd Avenue, Ft. Lauderdale, FL 33304
E-mail Address	~~Et~~ spresson@holmanauto.com
Phone Number	954-335-2200
Proof of Ownership	[✓] Warranty Deed or [ ] Tax Record

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

Applicant / Agent's Name	Greenspoon Marder LLP, Deena Gray Esq.
Applicant / Agent's Signature	
Address, City, State, Zip	200 E Broward Blvd
E-mail Address	Deena.Gray@gmlaw.com
Phone Number	954 527 2443
Letter of Consent Submitted	Yes

Development / Project Name	Holman - Vacation of ROW (portion of 8th Street)
Development / Project Address	**Existing:** **New:**
Legal Description	see attached
Tax ID Folio Numbers (For all parcels in development)	see attached
Request / Description of Project	Vacation of a portion of ROW
Applicable ULDR Sections	see attached
Total Estimated Cost of Project	$ *(Including land costs)*

Future Land Use Designation	~~NWRAC-CMUE~~
Current Zoning Designation	
Current Use of Property	ROW

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.

Name and Signature	Folio Number	Subdivision	Block	Lot

NOTE: Applicant must indicate how they meet one of the following provisions:

1. All utilities (list below) located within the easement and/or right-of-way must be relocated pursuant to a relocation plan; and
2. The owner of the utility facilities must consent to the vacation; or
3. A utilities easement must be retained over the area or portion thereof; or
4. An easement in a different location must be provided for the utility facilities by the owner to the satisfaction of the City; or

Page 2: Required Documentation & Mail Notice Requirements

One (1) copy of the following documents:

- ❑ Original Pre-PZB signed-off plans and all supplemental documentation (ie. narratives, photos, etc.)
- ❑ Completed application (all pages must be filled out where applicable)
- ❑ Mail notice documents
- ❑ One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24" x 36"
Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12" x 18"

- ❑ **Narrative** describing specifics of vacation request. Narratives must be on letterhead, dated, and with author indicated.
- ❑ **Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- ❑ **Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- ❑ **Cover sheet** on plan set to state project name and table of contents.
- ❑ **Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ❑ Most **current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave.
- ❑ **Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- ❑ **Sketch and legal description** right-of-way proposed to be vacated (prepared by Engineer or Surveyor).

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11" and stapled or bound.

Note: Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

Note: For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

Applicant's Affidavit
I acknowledge that the Required Documentation and Technical Specifications of the application are met:

Print Name Kenneth Loiseau

Signature _____

Date 8/7/19

Staff Intake Review
For Urban Design & Planning staff use only:

Date _____

Received By _____

Tech. Specs Reviewed By _____

Case No. _____

MAIL NOTIFICATION

Notice shall be in the form provided by the department and mailed on the date the application is accepted by the department. The names and addresses of homeowner associations shall be those on file with the City Clerk).

REQUEST: Partial Vacation of Right-of-Way and the Retainment of a Non-Exclusive Utility, Pedestrian Walkway, and Emergency Vehicle Access Easement for a portion of NE 8th Street.

Case Number	V19008
Applicant	Holman Automotive, Inc.
Authorized Agent	Deena Gray, Esq., Greenspoon Marder
General Location	Portion of NE 8th Street,127.50 Feet in Length, and 40 Feet in Width, East of NE 1st Avenue and West of Progresso Drive.
Property Size	0.117 acres (5,100 SF) ROW Vacation
Zoning	Northwest Regional Activity Center- Mixed Use Northeast (NWRAC-MUne)
Existing Use	Public Right-of-Way
Future Land Use Designation	Northwest Regional Activity Center (NWRAC)
Applicable ULDR Sections	Sec. 47-24.6 Vacation of Right-of-Way Sec. 47-25.2 Adequacy Requirements
Notification Requirements	Sec. 47-27.6 Mail Notice 10 days prior to meeting; Sec. 47-27.6 Sign Posting 15 days prior to meeting; Sec. 47-24.2. Public Participation.
Action Required	Recommend Approval of Vacation to City Commission, or Deny
Project Planner	Adam Schnell, Planner II | ES

PROJECT DESCRIPTION:

The applicant, Holman Automotive, Inc., is requesting to vacate a portion of right-of-way on NE 8th Street and retain a non-exclusive utility, pedestrian walkway, and emergency vehicle access easement, running 40-feet wide and 127.50 feet in length, totaling 5,100 square feet, located between NE 1st Avenue and Progresso Drive and north of 745 Progresso Drive and south of 810 NE 1st Avenue. This section of right-of-way has been closed off from vehicular and pedestrian traffic since the approval of a 1987 encroachment agreement and used as car storage overflow for the dealership. The applicant is proposing to remove all existing encroachments and retain a non-exclusive easement for utilities, pedestrians, and emergency vehicles. A sketch and legal description, survey, zoning map and pictures of existing conditions are provided as **Exhibit 1.**

PRIOR REVIEWS:

The vacation of right-of-way request was reviewed by the Development Review Committee (DRC) on July 23, 2019. The applicant originally proposed the vacation of the right-of-way along NE 8th Street without the retainment of access easements. Based upon staff's comments, the applicant revised the application to include the retainment of utility, pedestrian and emergency vehicle easement rights. All comments have been addressed. The full DRC record is available at the Department of Sustainable Development.

REVIEW CRITERIA:

The following Unified Land Development Regulations (ULDR) criteria apply:

- Section 47-24.6, Vacation of Rights-of-Way
- Section 47-25.2, Adequacy Requirements

Vacation of Rights-of-Way:
As per ULDR Section 47-24.6.A.4, Vacation of Right-of-Way, the request is subject to the following criteria:

a. The right-of-way or other public place is no longer needed for public purposes.

   According to the applicant, this section of right-of-way has been fenced off and used for a dealership car storage area and has not been used for a public purpose, per a 1987 Encroachment Agreement (City Commission Resolution No. 87-262 and recorded in the Public Records of Broward County, Book 12963, Page 490). The applicant is proposing to remove the existing fence and retain a non-exclusive easement for utilities, a pedestrian walkway, and for emergency vehicle access, therefore increasing pedestrian and service vehicle access.

b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas.

   This section of the right-of-way has been closed since the 1987 Encroachment Agreement and used for a dealership car storage area. Therefore, the vacation of the right-of-way will not affect the existing traffic pattern of NW 8th Avenue, nor NW 1st Avenue and Progresso Drive , since this section of right-of-way has functioned without being opened for over three decades.

c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area.

   The vacation of the right-of-way will not change existing conditions and will not affect vehicle turn around or exiting of the area.

d. The closure of a right-of-way shall not adversely impact pedestrian traffic.

   Granting of the vacation of the Right-of-Way and a simultaneous dedication of a pedestrian easement will reopen the area to pedestrian traffic increasing access from NE 1st Avenue to Progresso Drive.

e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.

   The applicant has obtained letters of no objection from the franchise utilities and the City's Public Works Department. Applicant will relocate all utilities to the satisfaction of the respective utility owners and is obtaining an easement over the proposed vacated right-of-way.

The applicant's narrative responses to Section 47-24.6.A.4, Vacation of Right-of-Way criteria are attached as **Exhibit 2**. Utility letters of no objection are attached as **Exhibit 3.**

Adequacy Requirements:
The adequacy requirement criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed vacation. The proposed vacation has no impact on City's infrastructure or services.

The applicant has provided narrative responses regarding the project's compliance with ULDR Section 47-25.2, Adequacy Requirements, attached as Exhibit 2, to assist the Board in determining if the application meets the criteria.

PUBLIC PARTICIPATION

The vacation of right-of-way request is subject to the public participation requirements established in ULDR Sec. 47-27.4. According to the applicant, two public participation meetings were held on January 6, 2020 and February 24, 2020, to offer the neighborhood and surrounding property owners an opportunity to comment on the proposed right-of-way vacation. Four signs were posted on property per the sign notification requirements of Section Sec. 47-27.6. The public participation meeting affidavits, sign notification and mail notice affidavit and supporting documentation are provided as **Exhibit 4**. Letters from neighboring property owners opposing the right-of-way vacation are provided as **Exhibit 5.**

PLANNING & ZONING BOARD REVIEW OPTIONS:

As per ULDR Section 47-24.6.3, the Planning and Zoning Board shall consider the application for vacation of right-of-way and the record and recommendations forwarded by the DRC and shall hear public comment on the application.

If the Planning and Zoning Board determines that the application meets the criteria for vacation of right-of-way, the recommendation shall be forwarded to the City Commission for consideration. If the Planning and Zoning Board determines that the criteria for vacation of right-of-way have not been met, the Board shall deny the application and the procedures for appeal to the City Commission as provided in Section 47-26B, Appeals, shall apply.

CONDITIONS OF APPROVAL:

Should the Board approve the proposed vacation, the following conditions apply:

1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, or easements granted, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department;

2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, or easements granted, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,

3. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, and recorded in the public records of Broward County, Florida. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

EXHIBITS:

1. Sketch and Legal Descriptions, Survey, Zoning Map and Pictures
2. Narrative Responses
3. Utility Letters of No Objection
4. Public Participation, Sign Notification and Mail Notification Affidavits and Supporting Documentation
5. Neighborhood Correspondence

M.D.O.K.

LEGAL DESCRIPTION

A portion of N.E. 8th Street(Platted as Avenue "C") 40' Right-of-Way as dedicated by PROGRESSO according to the plat thereof as recorded in Plat Book 2 at Page 18 of the Public Records of Dade County, Florida, described as follows:

BEGINNING at the Southwest corner of Block 257 of said plat run-South 02°34'17" West, 40.00 feet to an intersection with the southerly Right-of-Way line of said N.E. 8th Street;

thence run South 87°23'38" East along the southerly Right-of-Way line of said N.E. 8th Street, 127.50 feet;

thence run North 02°34'17" East, 40.00 feet to an intersection with the northerly Right-of-Way line of said N.E. 8th Street;

thence run North 87°23'38" West (basis of bearings on an assumed meridian) along the northerly Right-of-Way line of said N.E. 8th Street, 127.50 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

NOTES:

1. NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS IS NOT A SKETCH OF SURVEY IT IS ONLY THE GRAPHIC REPRESENTATION OF THE DESCRIPTION DEPICTED HEREON.

2. THIS SKETCH & LEGAL DESCRIPTION CONSISTS OF TWO (2) SHEETS & IS NOT COMPLETE WITHOUT BOTH SHEETS.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

PREPARED BY:

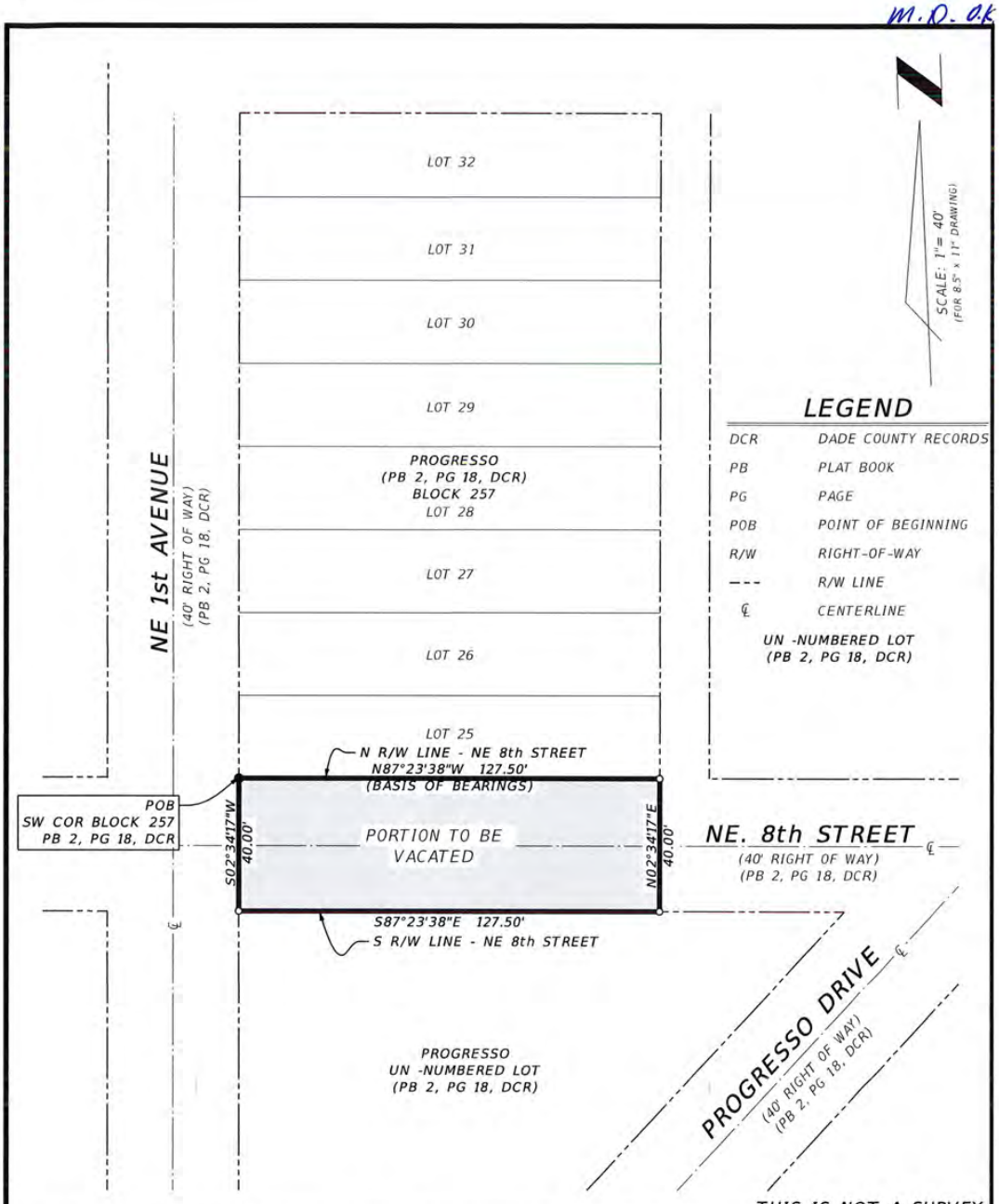
DAVID A. FRADLEY
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER 3458
DATE: 3/9/2020

PROFESSIONAL ENGINEER DAVID A. FRADLEY STATE OF FLORIDA NO. 3458 SURVEYOR NO. 2793

PROPOSED VACATION PORTION OF N.E. 8TH STREET 40' RIGHT-OF-WAY PER PLAT BOOK 2, PAGE 18, DCR	WINNINGHAM & FRADLEY, INC. ENGINEERS • PLANNERS • SURVEYORS 111 N.E. 44th STREET • OAKLAND PARK, FL 33334 954.771.7440 fax: 954.771.0298 • EB 0002995 LB 0002995		
SKETCH & DESCRIPTION	DESIGNED: AMF DATE: 06/17/19	PUBLISHED: 3/6/2020, 3:08:34 PM	
	DRAWN: AMF DATE: 06/17/19	PROJECT NUMBER: 19019	SHEET: SHEET 1
	CHECKED: DAF DATE: 06/17/19		

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M.D. ok



PROPOSED VACATION PORTION OF N.E. 8TH STREET

40' RIGHT-OF-WAY PER PLAT BOOK 2, PAGE 18, DCR

SKETCH & DESCRIPTION

WINNINGHAM & FRADLEY, INC.
ENGINEERS • PLANNERS • SURVEYORS
111 N.E. 44th STREET • OAKLAND PARK, FL 33334
954.771.7440 fax 954.771.0298 • EB 0002995 LB 0002995

DESIGNED: AMF	DATE: 06/17/19	PUBLISHED: 3/6/2020, 3:08:58 PM	
DRAWN: AMF	DATE: 06/17/19	PROJECT NUMBER	SHEET
CHECKED: DAF	DATE: 06/17/19	19019	SHEET 2

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M.D. OK

LEGAL DESCRIPTION

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Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

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SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

PREPARED BY:

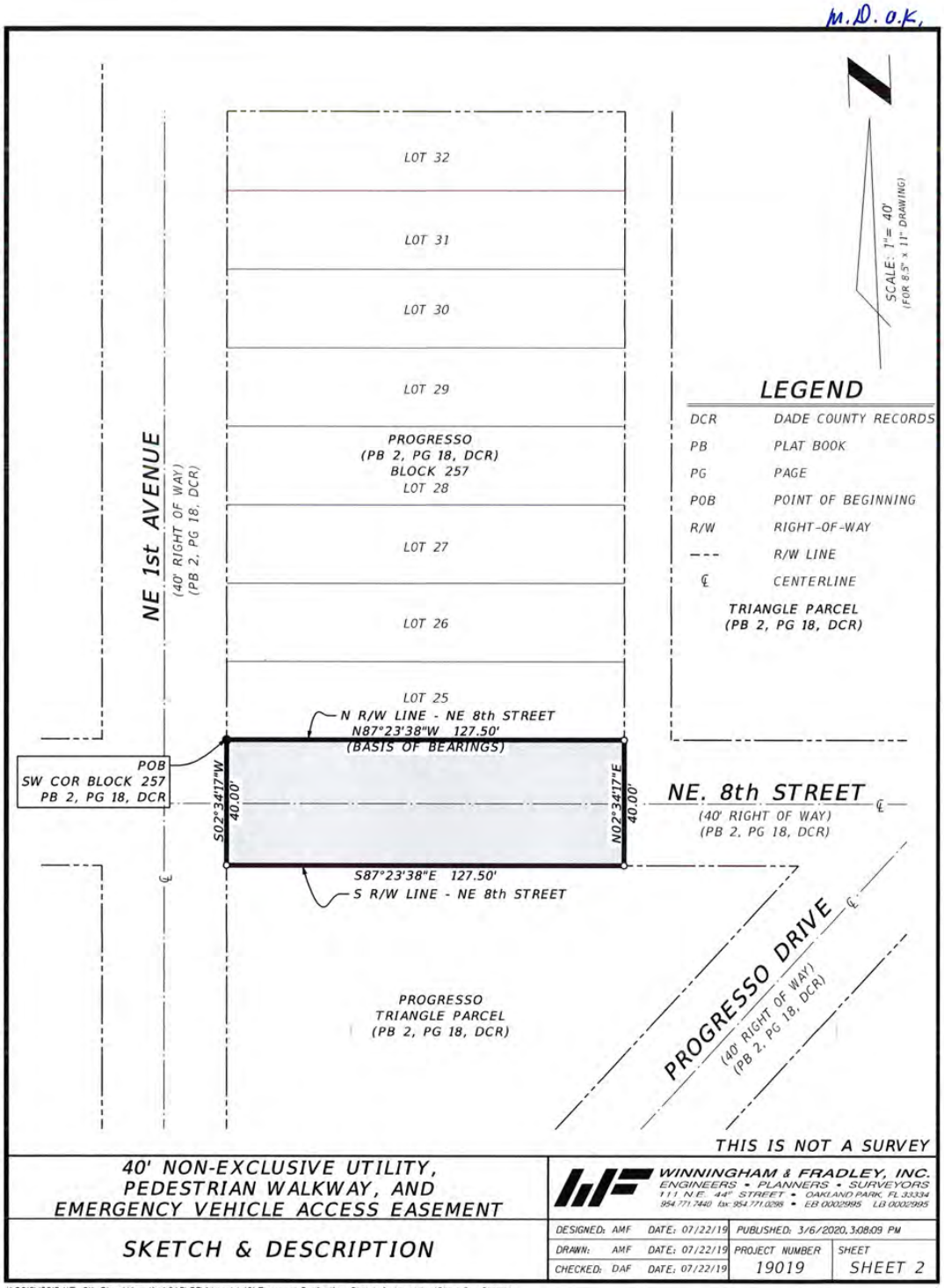
DAVID A. FRADLEY
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NUMBER 3458
DATE: 3/12/2020

PROFESSIONAL SURVEYOR AND MAPPER · DAVID A. FRADLEY · STATE OF FLORIDA · LS 3458

40' NON-EXCLUSIVE UTILITY, PEDESTRIAN WALKWAY, AND EMERGENCY VEHICLE ACCESS EASEMENT	WINNINGHAM & FRADLEY, INC. ENGINEERS • PLANNERS • SURVEYORS 111 N.E. 44th STREET • OAKLAND PARK, FL 33334 954.771.7440 fax: 954.771.0298 • EB 0002995 LB 0002995
SKETCH & DESCRIPTION	DESIGNED: AMF DATE: 07/22/19 PUBLISHED: 3/6/2020, 3:07:19 PM DRAWN: AMF DATE: 07/22/19 PROJECT NUMBER 19019 SHEET SHEET 1 CHECKED: DAF DATE: 07/22/19

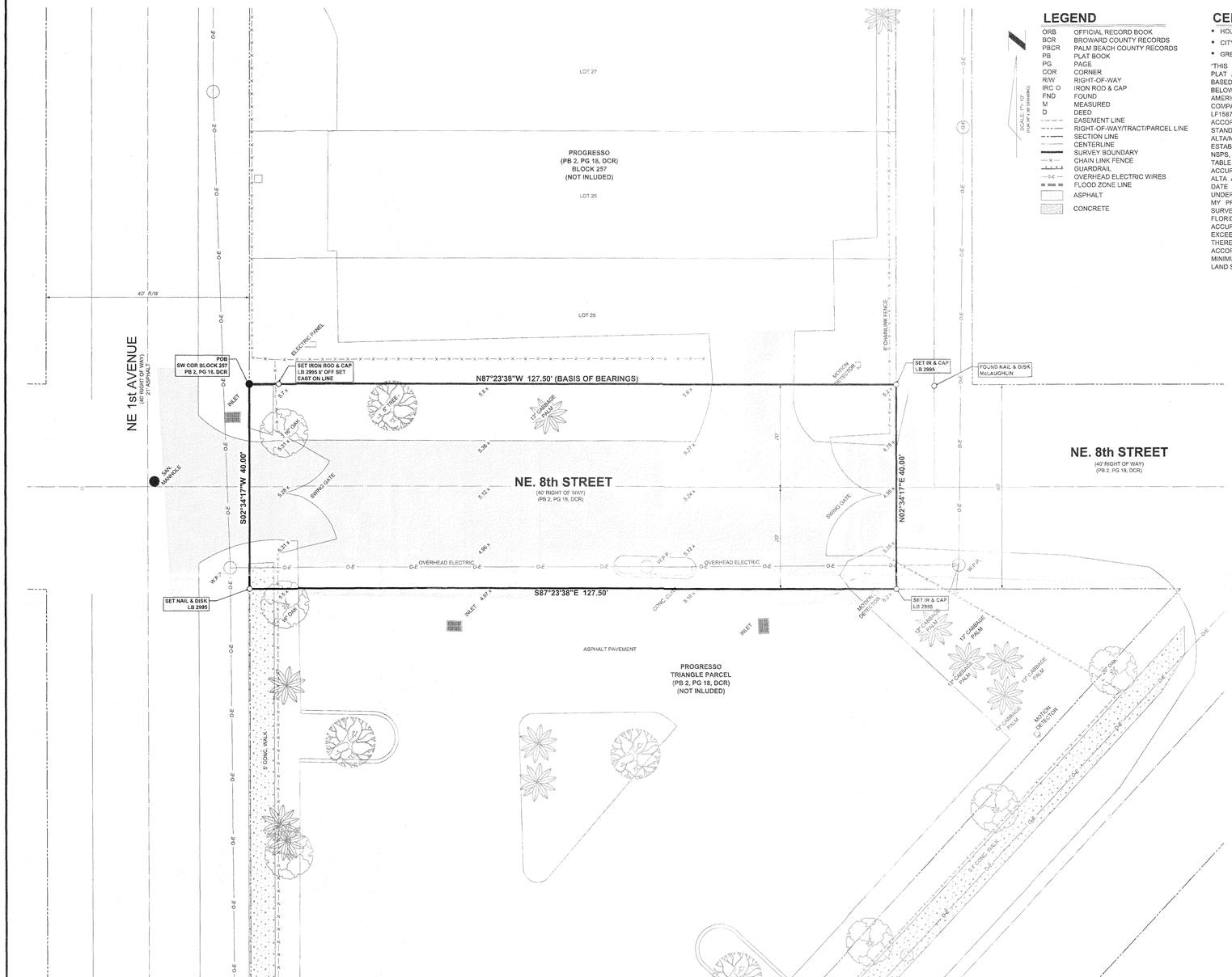
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M.D. O.K.



40' NON-EXCLUSIVE UTILITY, PEDESTRIAN WALKWAY, AND EMERGENCY VEHICLE ACCESS EASEMENT	WINNINGHAM & FRADLEY, INC. ENGINEERS • PLANNERS • SURVEYORS 111 N.E. 44th STREET • OAKLAND PARK, FL 33334 954.771.7440 fax: 954.771.0298 • EB 0002995 LB 0002995
SKETCH & DESCRIPTION	DESIGNED: AMF DATE: 07/22/19 · PUBLISHED: 3/6/2020, 3:08:09 PM · DRAWN: AMF DATE: 07/22/19 · CHECKED: DAF DATE: 07/22/19 · PROJECT NUMBER 19019 · SHEET SHEET 2

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LEGEND

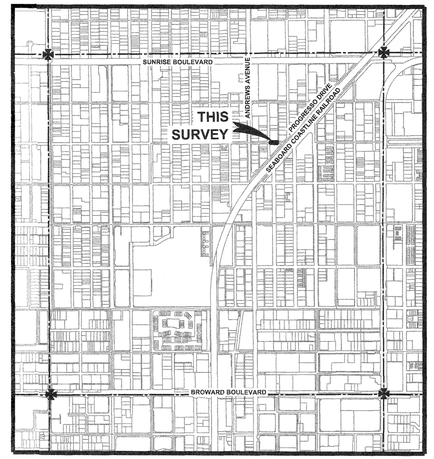
ORB	OFFICIAL RECORD BOOK
BCR	BROWARD COUNTY RECORDS
PBCR	PALM BEACH COUNTY RECORDS
PB	PLAT BOOK
PG	PAGE
COR	CORNER
R/W	RIGHT-OF-WAY
IRC O	IRON ROD & CAP
FND	FOUND
M	MEASURED
D	DEED
	EASEMENT LINE
	RIGHT-OF-WAY/TRACT/PARCEL LINE
	SECTION LINE
	CENTERLINE
	SURVEY BOUNDARY
	CHAIN LINK FENCE
	GUARDRAIL
	OVERHEAD ELECTRIC WIRES
	FLOOD ZONE LINE
	ASPHALT
	CONCRETE

SCALE: 1"= 10' (WHEN PLOTTED AT 24"X36")

CERTIFIED TO:

- HOLMAN AUTOMIVE INC.
- CITY OF FORT LAUDERDALE
- GREENSPOON MARDER, LLC

"THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE ON THE DATE SHOWN BELOW OF THE PREMISES DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION TITLE COMPANY TITLE COMMITMENT NO. CDS# LF1587 DATED AS OF 07/15/2018 IN ACCORDANCE WITH THE "2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS,"JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2 AND 4 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF FLORIDA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. THIS SURVEY WAS ALSO MADE IN ACCORDANCE WITH THE STATE OF FLORIDA MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS."



LOCATION MAP
SECTION 03, TOWNSHIP 50 SOUTH, RANGE 42 EAST
SCALE: 1" = 1000'

LEGAL DESCRIPTION:

A PORTION OF N.E. 8" STREET 40' RIGHT-OF-WAY AS DEDICATED BY PROGRESSO ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 257 OF SAID PLAT RUN SOUTH 02°34'17" WEST, 40.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8" STREET;

THENCE RUN SOUTH 87°23'38" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8" STREET, 127.50 FEET;

THENCE RUN NORTH 02°34'17" EAST, 40.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8" STREET;

THENCE RUN NORTH 87°23'38" WEST (BASIS OF BEARINGS ON AN ASSUMED MERIDIAN) ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8" STREET, 127.50 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

SURVEY NOTES:

1. THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD MAP HAS DETERMINED THE HEREON DESCRIBED LANDS TO BE SITUATED IN FLOOD ZONE X (NOT A SPECIAL FLOOD HAZARD AREA) AS SHOWN ON MAP PANEL NO. 12011C0369H EFFECTIVE DATE 8-18-2014.

2. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS OF RECORD. SUCH INFORMATION SHOULD BE OBTAINED THROUGH APPROPRIATE TITLE VERIFICATION.

3. THIS SURVEY COMPLIES WITH STANDARDS FOR A BOUNDARY SURVEY AS SET FORTH IN CHAPTER 5J-17.050-.052 FLORIDA ADMINISTRATIVE CODE

4. ELEVATIONS SHOWN ARE PREFIXED WITH A PLUS SIGN AND REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD)

5. BEARINGS INDICATED HEREON ARE BASED ON AN ASSUMED MERIDIAN.

5. DESCRIPTION AS INDICATED HEREON FURNISHED BY CLIENT. THIS SURVEY IS PREPARED FOR THE SOLE AND EXCLUSIVE USE OF THE PARTIES AS SURVEYED FOR AND AS CERTIFIED TO AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL.

CHICAGO TITLE INSURANCE COMPANY
ORDER NUMBER: 7675879
COMMITMENT DATE: 07/25/2018 AT 06:00 AM

2. ENCROACHMENT AGREEMENT RECORDED FEBRUARY 11, 1987 RECORDED IN OFFICIAL RECORD BOOK 14936, PAGE 490.
AFFECTS PROPERTY - NOT SHOWN - BLANKET IN NATURE

BY: _____ 2/5/2020
DAVID A. FRADLEY
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 5488

SEAL

NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REVISIONS	DATE	DRAWN	CHECKED	F.B. / PG.

ALTA/NSPS SURVEY
N.E. 8th STREET
"PROGRESSO" PLAT BOOK 2-18
DADE COUNTY RECORDS

WINNINGHAM & FRADLEY, INC.
ENGINEERS
PLANNERS
SURVEYORS
111 N.E. 44th STREET
OAKLAND PARK, FL 33334
954.771.7440 fax:954.771.0298
WEB: WWW.WINNFRAD.COM
EB 0002995 LB 0002995

FIELD PERSON(S):	FJS/RJB
FIELD DATE(S):	07/02/2019
FIELD BOOK(S):	1164
PAGE(S):	43
DATA COLLECTOR FILE(S):	N/A
DRAWN:	AMF
CHECKED:	DAF
PUBLISHED:	2/3/2020, 8:39:54 AM
PROJECT NUMBER:	19019
SHEET:	1 OF 1

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SCALE: 1" = 100'
(FOR 24" x 36" DRAWING)

AERIAL

EXHIBIT

PORTION OF PROGRESSO

HOLMAN AUTOMOTIVE GROUP, INC.

WINNINGHAM & FRADLEY, INC.
ENGINEERS - PLANNERS - SURVEYORS
111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-7440 FAX: 954-771-0288 www.winnfrad.com

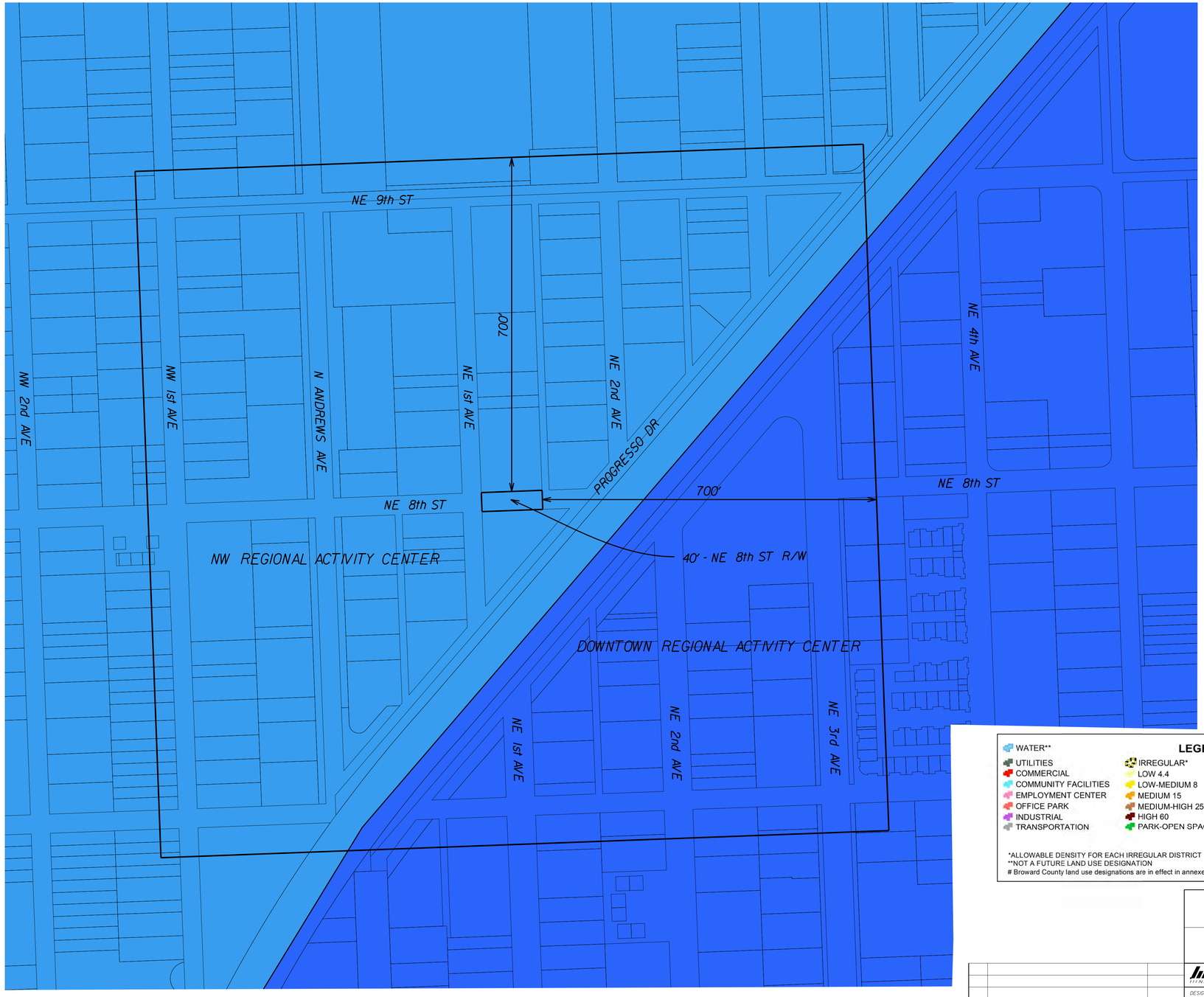
NO.	REVISIONS	DATE

DESIGNED: DATE:
DRAWN: KJA DATE: 06/2019
CHECKED: DATE:
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APPROVED: EB-0002995 LB-0002995

PROJECT NUMBER 19019 SHEET A1 OF 1

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SCALE: 1" = 700'
PDF 24" x 36" SHEET ISO

LEGEND

- WATER**
- UTILITIES
- COMMERCIAL
- COMMUNITY FACILITIES
- EMPLOYMENT CENTER
- OFFICE PARK
- INDUSTRIAL
- TRANSPORTATION
- IRREGULAR*
- LOW 4.4
- LOW-MEDIUM 8
- MEDIUM 15
- MEDIUM-HIGH 25
- HIGH 60
- PARK-OPEN SPACE
- COMMERCIAL RECREATION
- CONSERVATION
- NW REGIONAL ACTIVITY CENTER
- DOWNTOWN REGIONAL ACTIVITY CENTER
- SOUTH REGIONAL ACTIVITY CENTER
- CENTRAL BEACH REGIONAL ACTIVITY CENTER
- REGIONAL ACTIVITY CENTER - PARK
- REGIONAL ACTIVITY CENTER CONSERVATION

*ALLOWABLE DENSITY FOR EACH IRREGULAR DISTRICT IS INDICATED ON MAP IN DWELLING UNITS PER ACRE.
**NOT A FUTURE LAND USE DESIGNATION
Broward County land use designations are in effect in annexed areas until such time City land use designations are applied

LAND USE
EXHIBIT

PORTION OF PROGRESSO
HOLMAN AUTOMOTIVE GROUP, INC.

NO.	REVISIONS	DATE

WINNINGHAM & FRADLEY, INC.
ENGINEERS - PLANNERS - SURVEYORS
111 N.E. 44th STREET, OAKLAND PARK, FL 33334 - 954-771-7640 FAX: 954-771-0298 - www.winnfrad.com

DESIGNED: DATE:
DRAWN: K.J.A DATE: 06/2019
CHECKED: DATE:
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APPROVED: EB-0002995 LB-0002995

PROJECT NUMBER 19019 | SHEET LU1 OF 1

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SCALES: 1"=100' FOR 24" x 36" SHEET (R)

LEGEND	
ABBREVIATION	ZONING DISTRICT
NWRAC-MUe	EAST MIXED USE DISTRICT
NWRAC-MUne	NORTH EAST MIXED USE DISTRICT
PUD	PLANNED UNIT DEVELOPMENT
RAC-UV	URBAN VILLAGE DISTRICT
RMM-25	RESIDENTIAL MULTIFAMILTY MID RISE/MEDIUM HIGH DENSITY
X-P	EXCLUSIVE USE PARKING LOT

ZONING

EXHIBIT

PORTION OF PROGRESSO

HOLMAN AUTOMOTIVE GROUP, INC.

WINNINGHAM & FRADLEY, INC.
ENGINEERS - PLANNERS - SURVEYORS
111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-1540 FAX: 954-771-0288 www.winnfrad.com

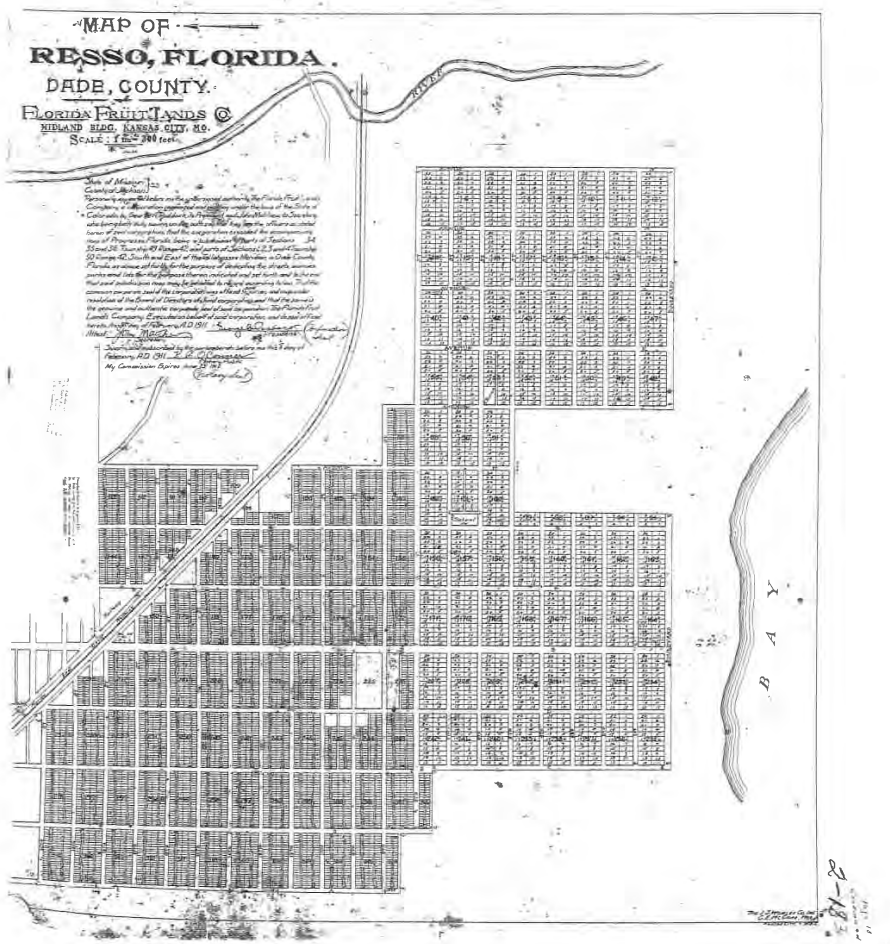
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DRAWN: K.J.A DATE: 06/2019
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PROJECT NUMBER 19019 SHEET Z1 OF 1

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This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon

See Also 13-2

DADE 2-18 TRANS. 25

PROG

MIDDLE

NOTE

This Map shows only the 12200 Lots to be Distributed to Contract Holders March 11, 1911

A strip 75 ft wide is Reserved across the West side of the Business section

Lots in the business section are 25 x 135 feet.

All other lots are 50 x 135 feet.

All alleys are 15 feet wide

All streets except those on which cars run are 60 feet wide

"Subdivision Map executed by The Florida Fruit Lands Co. a corporation of parts of Sections 34, 35 and 36 Township 49 Range 42 and parts of Sections 1, 2, 3 and 4 Township 50 Range 42 South and East of the Tallahassee meridian, in Dade County State of Florida."

State of Florida } ss
County of Dade

This instrument was filed for record this 18th day of February 1911 and duly recorded on the 18 day of February 1911 in Book 2 of Plats on page 18.

RECORD VERIFIED.
J. J. Merritt
Clerk Circuit Court

STATE OF FLORIDA
COUNTY OF BROWARD

I HEREBY CERTIFY that this is a true and correct copy of a map or plat as the same appears of record in Plat Book 2 at Page 18 of the public records of DADE County, Florida. WITNESS my hand and official seal in the City of Fort Lauderdale, Fla. this 6th day of Jan A.D. 86

Larry Miller

2 18 31

Frank A Bryan

CAM # 21-0167
Exhibit 2
Page 16 of 56



NE 8th Street Right of Way, Looking East



NE 8th Street Right of Way, Looking West



Property located north of NE 8th Street Right of Way



Property located south of NE 8th Street Right of Way

GreenspoonMarder LLP

Deena Gray, Esq.
PNC Building
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.2443
Direct Fax: 954.333.4043
Email: deena.gray@gmlaw.com

Right-of-Way Vacation Narrative
Portion of NE 8th Street

Holman Automotive, Inc. ("Applicant") is seeking to vacate a 40 foot wide right-of-way ("Right-of-Way") consisting of a portion of NE 8th Street in the City of Fort Lauderdale ("City"). The Right-of-Way has been fenced off on both ends since 1987 and therefore has not been utilized for public purposes for over 30 years. The Right-of-Way abuts two properties owned by Applicant (between Folio 4942 3407 1500 and 4942 34 06 2620). The Right-of-Way is identified as right-of-way on the Broward County Property appraiser's website. The Right-of-Way was created by the Progresso Plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida.

The Right-of-Way is subject to that certain Encroachment Agreement recorded in Official Records Book 12963, Page 490 of the Public Records of Broward County, Florida entered into between the City and Applicant (note: Applicant's corporate name was Fort Lauderdale Lincoln Mercury, Inc. at that time) pursuant to which Applicant was given the right to utilize the Right-of-Way for paving, landscaping, and fencing for parking lot purposes. The City does not utilize the Right-of-Way except for utilities as described in more detail below. Additionally, Applicant's traffic engineer noted safety concerns if the Right-of-Way was to be opened for regular vehicular traffic as it will create a dangerous intersection.

The vacation criteria set out by the City pursuant to 47-24.6(4) of the ULDR are satisfied as follows:

1. **The right-of-way or other public place is no longer needed for public purposes;**

As stated above, the Right-of-Way has been fenced off since 1987 and therefore has not been utilized for a public purpose for over 30 years. Vacating the Right-of-Way will actually serve a public purpose as Applicant is simultaneously proposing to dedicate a replacement non-exclusive easement for utilities, a pedestrian walkway, and for emergency vehicle access. Moreover, Applicant's traffic engineer noted safety concerns if the Right-of-Way was to be opened for regular vehicular traffic as

it will create a dangerous intersection. The Institute of Transportation Engineers (ITE) recommends intersecting angles to be at least 70 degrees or greater. Anything less than 70 degrees is considered unsafe. NE 8th Avenue and Progresso Drive currently intersect at approximately 45 degrees. Additionally, since NE 8th Street has been closed for over 30 years, vacating this area of NE 8th Street will not change current traffic patterns.

2. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and

Alternate routes are not required as the Right-of-Way has been fenced off since 1987 and is not used for any public purpose. The main access is Progresso Drive which allows access to NE 1st Avenue (on the west of the Property) and access is allowed to NE 2nd Avenue (east side of property). The vacation of the Right-of-Way does not change the aforementioned access. From the standpoint of the benefit of the community as a whole, the request to vacate the Abandoned Easement does not have any adverse impacts as the Applicant will be providing a replacement easement that will continue a regular and harmonious system for pedestrian and emergency vehicular circulation in the area.

3. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and

On the east side of the Property, there is a 15 foot alley to provide turn around access. As explained herein, the Right-of-Way is already closed off and has been closed off for many years. As such, the vacation will not impact the safety for vehicles to turn around and exit the area.

4. The closure of a right-of-way shall not adversely impact pedestrian traffic; and

Granting of the vacation of the Right-of-Way and simultaneous dedication of an easement will reopen the vacation area to pedestrian traffic and continue to keep it closed to regular vehicular traffic thereby adhering to the safety concerns as stated above by Applicant's traffic engineer.

5. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.

As part of the proposed Right-of-Way vacation, the utilities located within the

vacation area that are held by the City will remain in their existing location and a new easement will be provided for the utilities to continue their operation and maintenance. All affected utility franchises have provided letters of no objection to the vacation request subject to receiving the required easements from the Applicant.

Sanitary Sewer:

Per agreement with City Public Works, it is the intent to leave the existing sanitary sewer within the vacated right of way of NE 8th Street. This sewer pipe provides service to the properties located on NE 2nd Avenue south of Sunrise Boulevard to NE 8th Street and east to NE 1st Avenue and beyond. It is the intent to leave the existing sanitary sewer within the vacated right of way of NE 8th Street and dedicate a utility easement over it.

Drainage System:

In connection with future development, it is the intent to replace the existing drainage pipe within the vacated NE 8th Street right of way, as the existing pipe is decades old. This drainage pipe is within the easement to be dedicated.

FPL and Comcast Lines:

Overhead Florida Power and Light electric lines and poles are located on the north side of NE 8th Avenue. It is the intent to relocate the existing utilities with future development. FPL has agreed to remove their existing facilities and vacate the existing easement. A complete set of plans will be provided prior to construction as required by FPL. See attached letter from FPL. Comcast utilities are collocated with the FPL lines and will continue to be collated on the new FPL poles.

AT&T:

AT&T utilities are not located within the Right-of-Way under consideration for vacation.

TECO Gas:

Teco utilities are not located within the Right-of-Way under consideration for vacation.

Potable Water Lines:

Potable water lines are not located within the Right-of-Way under consideration for vacation.

WINNINGHAM & FRADLEY, INC.
ENGINEERS • PLANNERS • SURVEYORS

July 22, 2019

Mr. Adam Schnell
City of Fort Lauderdale
Urban Design & Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

Re: Vacation of Right of Way
Portion of NE 8th Avenue
DRC Comment No. 3
W&F Project No. 19019

Dear Mr. Schnell;

In response to your request to indicate the project's compliance with the following ULDR Sections by providing a point-by-point narrative response, on letter head, with date and author indicated.

a. Sec. 47-25.2, Adequacy Requirements

We have added the section of the code followed by our responses below.

47-25.2. - Adequacy requirements.

A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

A.1. No response required.

B. *Communications network.* Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

B.1. No building is proposed with this vacation request, therefore we do not believe there will be any interference created.

C. *Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

C.1. When the property is vacated and developed, the stormwater system for the development will incorporate this property into the system and provide adequate stormwater storage for the property.(1" or 2.5" times percent impervious).

D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which

111 N.E 44th STREET, OAKLAND PARK, FLORIDA 33334 954-771-7440 FAX: 954-771-0298

address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:
a. Broward County Ordinance No. 89-6.
b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
c. Broward County Ordinance No. 84-60.
2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.
D.1. This property currently does not contain any Environmentally Sensitive Lands.

E. *Fire protection.* Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.
E.1. The vacated property does not have any existing structures located on it. Adequate Fire protection exists today and will continue after the vacation.

F. *Parks and open space.*
1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.
F.1. This application is for the vacation of public right of way. Therefore no park impact will be addressed at this time.

G. *Police protection.* Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.
G.1. This vacation application of the right of way will is not proposing any change to the property use.

H. *Potable water.*
1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

H.1.1. This vacation application is not proposing any demand for potable water.

2. *Potable water facilities.*
a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
H.2.a.1. There are no structures within the right of way connected to the city system at this time.

b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
H.2.b.1. This vacation application is not requesting a connection to the potable water system.

c. Where the county is the projected service provider, a similar written assurance will be required.
H.2.c.1. This property is served by the City of Fort Lauderdale water treatment plant and we are not requesting a connection to the system at this time.

I. *Sanitary sewer.*
1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
I.1.1. There are no structures within the right of way connected to the city system at this time.

2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
I.2.1. This vacation application is not requesting to reserve any plant capacity at this time.

3. Where the county is the projected service provider, a written assurance will be required.
I.3.1. This property is served by the City of Fort Lauderdale sewage treatment plant and we are not requesting a connection to the system at this time.

4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.
I.4.1. Septic tanks are not proposed for this property.

J. *Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development

on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.
J.1. The vacation of this property is not requesting any approval for a residential development.

K. *Solid waste.*
1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
K.1.1. This vacation application is not requesting any development on the property, therefore solid waste collection facilities will not be affected.

2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.
K.2.1. This vacation application is not requesting any development on the property, therefore solid waste collection facilities will not be affected.

L. *Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.
L.1. This vacation application is not applying to change the existing property elevation or imperviousness.

M. *Transportation facilities.*
1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.
M.1.1. The subject section of NE 8th Street is currently closed. The proposed plan is to maintain the subject facility closed permanently.

2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or

and programmed trafficways.
iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
iv. A further detailed analysis and any other information that the review committee considers relevant.
v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.
M.4.1. The proposed street vacation is not part of a development application and therefore, a traffic impact analysis does not appear to be warranted.

5. *Dedication of rights-of-way.* Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.
5.1. This application is for a right of way vacation.

6. *Pedestrian facilities.* Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.
6.1. No sidewalks are present with the right of way under consideration for vacation.

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.
7.1. N.E. 8th Street is not a arterial street.

existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

M.2.1 The closest regional transportation facilities include North Andrews Avenue and NE 3rd Avenue. North Andrews Avenue has a 4-lane capacity of 29, 160 vehicles per day and current traffic levels are 18,300 vehicles per day, based on Broward County and FDOT. Similarly, NE 3rd Avenue has a 4-lane capacity of 32,400 vehicles per day and current traffic levels are 11,400 vehicles per day. Hence, ample roadway capacity is available on nearby regional facilities.

3. *Local streets.* Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

M.3.1. The subject section of NE 8th Street is currently closed. The proposed plan is to maintain the subject facility closed permanently. Hence, no new traffic impacts are projected on NE 8th Street and nearby local streets.

4. *Traffic impact studies.*

a. When the proposed development may generate over one thousand (1,000) daily trips; or b. When the daily trip generation is less than one thousand (1,000) trips; and (1) whenmore than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (½) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (½) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:

i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.

ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing

8. *Other roadway improvements.* Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.
8.1. This application is for vacation of right of way. There are presently no traffic control devices or mechanisms that will be affected.

9. *Street trees.* In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.
9.1. This application is for a vacation of a right of way. No new right of way is proposed.

N. *Wastewater.*
1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.
N.1.1 This application is for a right of way vacation with no request for a proposed development.

O. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan

within six (6) months of the effective date of this provision.
O.1. This application is for a right of way vacation with no request for a proposed development.

P. *Historic and archaeological resources.*
1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.
P.1.1. There are no structures located within the right of way associated with this vacation request.

Q. *Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.
Q.1. This vacation request is located west of the intercoastal Waterway and is not located on an evacuation route.

If you have any questions, do not hesitate to contact our office.

Sincerely,
WINNINGHAM & FRADLEY, INC.

Grant S. Besing, P.E.

cc: Bob Bamonte
Marla Neufeld
John Shiekman

J:\2019\19019-NE 8th Street Vacation\WP\2019-07-22 Response to Item 3 of DRC Comments.wpd

Grant Besing, P.E.
Winningham & Fradley, Inc.
111 NE 44th Street,
Oakland Park, Florida 33334

Subject: **Proposed Right-of-Way Vacation for Portion of NE 8th Street (DRC Case No. V19008)**

Dear Mr. Besing,

This letter is in response to your request of a letter of No Objection regarding the proposed Right-of-Way vacation described as follows:

A portion of NE 8th Street 40-ft Right-of-Way as dedicated by "Progresso" according to the plat thereof as recorded in Plat Book 2 at Page 18 of the Public Records of Dade County, Florida, described as follows:

Beginning at the Southwest corner of Block 257 of said plat run South 02°34'17" West, 40.00 feet to an intersection with the southerly Right-of-Way line of said NE 8th Street; thence run South 87°23'38" East along the southerly Right-of-Way line of said NE 8th Street, 127.50 feet' thence run North 02°34'17" East, 40.00 feet to an intersection with the northerly Right-of-Way line of said NE 8th Street; thence run North 87°23'38" West (basis of bearings on an assumed meridian) along the northerly Right-of-Way line of said NE 8th Street, 127.50 feet to the point of beginning.

Said lands situate, lying, and being in the City of Fort Lauderdale, Broward County, Florida.

Based on review of the documents provided and our assessment of City of Fort Lauderdale (City) records, it appears there are City facilities located within the Right-of-Way. The City has **no objection** to the proposed vacation of the Right-of-Way described above provided that the vacation is conditioned upon either the dedication of appropriate utility easements back to the City for any utilities that are to remain or the relocation, removal, or proper abandonment of the existing utilities found to be in conflict. Any relocation, removal, or abandonment of the existing utilities must be conducted with consulation with City staff, with approved engineering plans, at the developer's expense, and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

Should you have any questions or require any additional information, please contact me at (954) 828-6126.

Sincerely,

Thomas Lawrence, P.E.
Project Manager II

COMCAST

Engineering – Design Department
2601 SW 145th Ave Miramar, Fl 33027

Thursday, October 24, 2019

NE 8TH ST/ Holman Honda

RE: **Letter of No Objection / Abandonment of Easement**

NE 8TH ST/ Holman Honda
Comcast muid_10157_B

Dear Holman Honda

Petitioner/Owner Intent to Vacate 40" right-of-way for a portion of NE 8th Street between Progresso Drive and NE 1st Ave ("Right-of-Way" (see attached Sketch and legal description) Found in Section 34, Township 49, Range 42 in the City of Fort Lauderdale located on the Progresso plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida

We have no objection to the above-referenced vacation of right-of-way as follows:

Comcast will remove and relocate any existing facilities and vacate the existing easement at this location at the customer's expense.

Completed by:_____

Signature:_____

Print Name: Leonard Maxwell-Newbold

Digitally signed by Leonard Maxwell-Newbold
Date: 2019.10.24 15:38:58 -04'00'

Title:_____

Address:_____

Dated:_____

Florida Power & Light Company
3020 NW 19th St, Fort Lauderdale, FL 33311

October 4, 2019

Holman Automotive Group, Inc.
911 NE 2nd Ave
Miami Beach, FL 33139

Re: Holman Bentley Collision Center –810 NE 1st Ave, Fort Lauderdale, FL 33304
"PROGRESSO PLAT" (P.B 2. PG 18. D.C.R.)

Dear Bob Bamonte,

FPL has no objection to abandoning or vacating the above requested easement.

However, FPL has existing facilities and utility easements at this site. FPL will remove our existing facilities and vacate the existing easement at this location at the customer's expense. Prior to this being done, provisions must be made, new easements secured, and facilities constructed to serve any existing FPL customers that may be affected by your request.

FPL will require a complete set of plans prior to construction. These would include the survey of property, site plan, water sewer & drainage, paving, and electrical plans. As the FPL engineering process takes about three to four months, it is imperative that complete plans be provided well in advance of construction.

Please contact me at (954) 717-2057 should you have any questions or concerns.

Thank you,

Troy Lewis

Troy Lewis
Engineer II

A NEXTera ENERGY Company

6/24/2019

To: Marla Neufeld, Esq.
GreenspoonMarder Law
200 E. Broward Blvd Ste 1800
Ft. Lauderdale, Fl 33301

RE: **Vacation of ROW:**
Vacate 40' platted right-of-way for a portion of NE 8th Street between Progresso Drive and NE 1st Ave. Section 34, Township 49, Range 42 in the City of Ft. Lauderdale located on the Progresso Plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, FL

From; TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacation of right-of-way at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this vacate.

If you have further questions, please do not hesitate to call.

Sincerely,

Joan Domning
Administrative Specialist, Senior
Peoples Gas-Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783

GreenspoonMarder LAW
888-491-1120
www.gmlaw.com

From the desk of:
Marla Neufeld, Esq.
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.761-2929
Direct Fax: 954.333.4266
Email: marla.neufeld@gmlaw.com

Re: **Petitioner/Owner Intent to Vacate 40' right-of-way for a portion of NE 8th Street between Progresso Drive and NE 1st Ave ("Right-of-Way") (see attached Sketch and Legal Description) Found in Section 34, Township 49, Range 42 in the City of Fort Lauderdale located on the Progresso plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida**

1. ✓. We have no objection to the vacation of the Easement.

2. _____. We have no objection to the vacation if the following is satisfied: _____.

3. _____. We have no objection as follows: _____

Completed by: DYKE TITTLE at AT&T

Signature: Dyke Tittle
Print Name: DYKE TITTLE
Title: MNGR. OSP ENGR & PLANNING
Address: 8601 W SUNRISE BLVD PLANTATION, FL
Dated: 6/25/2019

EXHIBIT A

See attached submittal of vacation area



CUTRO AND ASSOCIATES

CERTIFICATION LETTER

City of Fort Lauderdale

Date: December 13, 2019

Applicant: Holman Automotive, Inc.

Legal Description: Portions of NE 8th Street between Block 257 and Block 287 of Progresso as recorded in Plat Book 2 Page 18 of the Public Records of Dade County, Florida.

General Location: portion of NE 8th Street

Type of Application: Vacation of Right of Way

This letter certifies that the attached property ownership list was obtained from the tax folio rolls from the Broward County Property Appraiser's Office as of December 13, 2019. The list represents all parcels within 300 feet of the subject property.

This letter also certifies that the attached Public Outreach Meeting Notice was sent to the persons on the list of property owners. The notice was mailed December 13, 2019.

Thank You,

Christina Mathews

Sworn and subscribed before me this 13th day of December, 2019. She is personally known to me.

Signature of Notary

NATALIE BEDELL
Notary Public – State of Florida
Commission # GG 065714
My Comm. Expires Jan 24, 2021
Bonded through National Notary Assn.

1025 Yale Drive
Hollywood, Florida 33021
954-920-2205
Email: cutroplanning@yahoo.com

	A	B	C	D	E	F	G	H
1	FOLIO_NUMB	NAME	ADDRESS_LI	CITY	STATE	ZIP	ZIP4	LEGAL
2	494234062370	VICKI M MCKAY TRMCKAY,VICKI M TRSTEE ETAL	809 PROGRESSO DR	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 12 TO 14 BLK 256
3	494234062380	MCKAY COASTAL PROPERTY CO	809 PROGRESSO DR	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 15,16 BLK 256
4	494234062480	VICKI M MCKAY TRMCKAY,VICKI M TRSTEE ETAL	809 PROGRESSO DR	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 10,11 BLK 256 & THAT PT OFBLK 256 S LOT 10 & W OF ALLEYLESS ST
5	494234062510	RECHTER PROGRESSO 835 LLC	241 E PROSPECT ROAD	FORT LAUDERDALE	FL	33334		PROGRESSO 2-18 DLOT 4,5,6 BLK 257
6	494234062540	HG WORLD GROUP INC	833 NE 2 AVENUE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 7,8 BLK 257
7	494234062550	HG WORLD GROUP INC	1109 NE 2 AVE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 9,10 BLK 257
8	494234062560	CURATOLO,ANTONIO &CURATOLO,MARIA VALERIA	825-B NE 2 AVE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 11,12 BLK 257
9	494234062570	BH3 DJ FLAGLER LLC	21500 BISCAYNE BLVD #302	AVENTURA	FL	33180		PROGRESSO 2-18 DLOT 13 TO 15 BLK 257
10	494234062580	BH3 DJ FLAGLER LLC	21500 BISCAYNE BLVD #302	AVENTURA	FL	33180		PROGRESSO 2-18 DLOTS 16,17 BLK 257
11	494234062591	BH3 DJ FLAGLER LLC	21500 BISCAYNE BLVD #302	AVENTURA	FL	33180		PROGRESSO 2-18 DLOTS 18,19,20 BLK 257
12	494234062610	BH3 DJ FLAGLER LLC	21500 BISCAYNE BLVD #302	AVENTURA	FL	33180		PROGRESSO 2-18 DLOT 21,22,UNNUMBERED LOT SLOT 22 & E OF ALLEY BLK 257
13	494234062620	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DLOT 25 THRU 31 BLK 257
14	494234062660	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DLOT 32 BLK 257
15	494234062670	CURATOLO,ANTONIO &CURATOLO,MARIA V	825-B NE 2 AVE	FORT LAUDERDALE	FL	33304	1934	PROGRESSO 2-18 DLOT 33,34 BLK 257
16	494234062680	CURATOLO,ANTONIOCURATOLO,MARIA V	825-B NE 2 AVE	FORT LAUDERDALE	FL	33304	1934	PROGRESSO 2-18 DLOTS 35 THRU 39 BLK 257
17	494234062700	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DLOT 40 TO 48 BLK 257
18	494234062740	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DLOTS 3 THRU 8 &LOTS 41 THRU 48,ALL LESSRD R/W, LESS POR LOTS 41-48 DESCAS: COMM AT NW COR SAID BLK 258,NE 15 TO POB, CONT NE 39, SW42.43, S 169.99 TO S/L LOT 41,W 9, N 200 TO POB
19	494234062780	CURATOLO,ANTONIO &CURATOLO,MARIA V	825-B NE 2 AVE	FORT LAUDERDALE	FL	33304	1934	PROGRESSO 2-18 DLOTS 9 THRU 14 BLK 258
20	494234062800	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DLOT 15 BLK 258
21	494234062810	HOLMAN AUTOMOTIVE INC	1400 S FEDERAL HWY	FORT LAUDERDALE	FL	33316		PROGRESSO 2-18 DLOT 16,17 BLK 258
22	494234062820	CURATOLO,ANTONIO &CURATOLO,MARIA V	825 NE 2 AVE	FORT LAUDERDALE	FL	33304	1934	PROGRESSO 2-18 DLOT 18,19,20 BLK 258
23	494234062840	HOLMAN AUTOMOTIVE INC	1400 S FEDERAL HWY	FORT LAUDERDALE	FL	33316		PROGRESSO 2-18 DLOT 21 TO 24 BLK 258
24	494234062850	HOLMAN AUTOMOTIVE INC	1400 S FEDERAL HWY	FORT LAUDERDALE	FL	33316		PROGRESSO 2-18 DLOTS 25,26,LESS ST BLK 258
25	494234062860	HOLMAN AUTOMOTIVE INC	1400 S FEDERAL HWY	FORT LAUDERDALE	FL	33316		PROGRESSO 2-18 DLOT 27,28,LESS W 15 FOR STBLK 258
26	494234062870	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DLOTS 29 THRU 40,ALL LESS W 33.00FOR RD R/W BLK 258
27	494234071320	JUSTIN INTERNATIONAL INC	735 NE 1 AVE	FORT LAUDERDALE	FL	33304	2611	PROGRESSO 2-18 DLOT 1,2 BLK 287
28	494234071340	LARSON,MARK B	777 NE 1 AVE	FORT LAUDERDALE	FL	33304	2611	PROGRESSO 2-18 DLOT 3 BLK 287
29	494234071341	JUSTIN INTERNATIONAL INC	735 NE 1 AVE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 4 E1/2 BLK 287
30	494234071342	JUSTIN INTERNATIONAL INC	735 NE 1 AVE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 4 W1/2 BLK 287
31	494234071360	LARSON,MARK B	777 NE 1 AVE	FORT LAUDERDALE	FL	33304	2611	PROGRESSO 2-18 DLOT 5 BLK 287
32	494234071370	JUSTIN INTERNATIONAL INC	735 NE 1 AVE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 6 TO 9 BLK 287
33	494234071390	ABS HOLDINGS INC	704 N ANDREWS AVE	FORT LAUDERDALE	FL	33311		PROGRESSO 2-18 DLOTS 11,12,13 & 14 S 21.50TOGETHER WITH THAT UNNUMBEREDPART OF BLK 287 LYING S OFLOT 11 & W OF ALLEY,ALL LESSRD R/W (SAID PROPERTY LYING INNE 1/4 OF SEC 3-50-42) BLK 287

	A	B	C	D	E	F	G	H
34	494234071400	FELEPPA,DIANN	722 N ANDREWS AVE	FORT LAUDERDALE	FL	33311	7438	PROGRESSO 2-18 DLOT 14 N 3.50,LOTS 15 & 16,ALL LESS R/W FOR ANDREWS AVEBLK 287
35	494234071410	730 INVESTMENT LLC	618 NE 3 AVE	FORT LAUDERDALE	FL	33304		PROGRESSO 2-18 DLOT 17 TO 19,LESS W 15 FOR STBLK 287
36	494234071430	SAVANT DEVELOPMENT GROUP LLC	7 FARGO LN	IRVINGTON	NY	10533		PROGRESSO 2-18 DLOTS 20,21,LESS ST BLK 287
37	494234071450	SAVANT DEVELOPMENT GROUP LLC	7 FARGO LN	IRVINGTON	NY	10533		PROGRESSO 2-18 DLOTS 22,23,24,25,26 LESS STBLK 287
38	494234071470	1943 TYLER LLC	1943 TYLER ST	HOLLYWOOD	FL	33020		PROGRESSO 2-18 DLOT 10 TOG WITH THAT PT LYING SOF SAID LOT 10 & E OF ALLEY, ALLIN BLK 287
39	494234071490	BENNETT AUTO SUPPLYOF FT LAUD INC%O'REILLY AUTO	PO BOX 9167	SPRINGFIELD	MO	65801	9167	PROGRESSO 2-18 DALL BLK 287 S OF RY BOUNDED ON EBY 23 ST & ON S BY AVE B LESS STR/W
40	494234071500	HOLMAN AUTOMOTIVE INCDBA LAUDERDALE BMW	2601 S ANDREWS AVE	FORT LAUDERDALE	FL	33316	4027	PROGRESSO 2-18 DTRIANGULAR TR S OF BLK 257 & EOF BLK 287
41	494234071530	HIGHBURY LLC	5963 BISCAYNE BLVD	MIAMI	FL	33137		PROGRESSO 2-18 DLOTS 1,2,3 BLK 288
42	494234071570	SGS HOLDING INVESTMENTS LLC	1515 SW 13 CT	FORT LAUDERDALE	FL	33312		PROGRESSO 2-18 DLOT 14 N1/2,15,16 BLK 288
43	494234071580	ENGLAND'S FINEST LLC	5963 BISCAYNE BLVD	MIAMI	FL	33137		PROGRESSO 2-18 DLOTS 17,18 & ALL THAT PART OFBLK 288 N OF LOT 18 & W OFALLEY,LESS ST R/W THEREOFBLK 288
44	494234071610	TRICERA FLAGLER UPTOWN LLC	80 SW 8 ST #2802	MIAMI	FL	33130		PROGRESSO 2-18 DBLK 288 N OF LOT 24 & E OF ALLEYLESS ST R/W
45	494234079560	CITY OF FORT LAUDERDALE	100 N ANDREWS AVE	FORT LAUDERDALE	FL	33301		PROGRESSO 1-107 DPOR OF LOT 23 BLK 288 DESC AS:BEG AT NW COR OF SAID LOT 23,ELY1.79,SWLY 2.65,N 1.93 TO POB, &POR OF LOT 24 BLK 288 DESC AS:BEG AT NW COR OF SAID LOT 24,ELY25.01,SWLY 34.11,WLY 1.79,N 25TO POB, TOG/W ALL THAT TRIANGULAR PLOT OF LAND LYING N OF LOT 24& E OF ALLEY BLK 288 EXCEPT POR
46	494234110370	721 AVE LLC	120 NIGHTHAWK AVE	PLANTATION	FL	33324		PROGRESSO 1-107 DLOT 19,20 BLK 288
47	494234110380	TRICERA FLAGLER UPTOWN LLC	80 SW 8 ST #2802	MIAMI	FL	33130		PROGRESSO 1-107 DLOT 21,22 S 15 BLK 288
48	494234110390	TRICERA FLAGLER UPTOWN LLC	80 SW 8 ST #2802	MIAMI	FL	33130		PROGRESSO 1-107 DLOT 22 N 10,23 S 15 BLK 288
49	494234110391	TRICERA FLAGLER UPTOWN LLC	80 SW 8 ST #2802	MIAMI	FL	33130		PROGRESSO 1-107 DLOT 23 N 10,24 S 15 LESSST BLK 288
50	494234110392	TRICERA FLAGLER UPTOWN LLC	80 SW 8 ST #2802	MIAMI	FL	33130		PROGRESSO 1-107 DLOT 24 N 10 LESS ST BLK 288
51	504203013360	FLORIDA EAST COAST RAILWAY LLC	7150 PHILIPS HWY	JACKSONVILLE	FL	32256		035042FEC RAILROAD R/W 100 FT WIDE INNE1/4 OF SEC 035042, LYING W OFFLAGLER DR IN CITY OF FTLAUDERDALE
52	504203130010	LIFE STORAGE LP	6467 MAIN ST	BUFFALO	NY	14221		MC EWENS SUB 33-15 BTR A LESS ST R/W

SIGN IN SHEET

Project	Meeting Date
Holman – 8th Street Vacation	January 6, 2020

Name	Address	Phone	E-Mail
TONY CORATOLO	825 NE 2ND AVE	954-600-1414	
John Phillips	"	(9)815-1350	JOHNPHILPA@aol.com
Brett Hertzler	2780 NW 3rd Ave Miami	305 320 8127	bhertzler@mkda.com
Amanda Hertzler	"	"	ahertzler@mkda.com
Deena Gray	Greenspoon Marder 200 E. Broward Blvd	9545272443	Deena.Gray@gmlaw.com
BOB BAMONTE	911 NE 2ND AVE FT. LAUDERDALE	786-942-5040	bobbamonteegmail.com
Angie Andreda	ABS Holdings Inc	(9) 522-0070	mercedesladyofbellsouth.net
[illegible]	MINT MOTORCARS	305-794-2704	
WILLIAM MARSNALL	MINT MOTORCARS	954-288-4513	MINTMC@BELLSOUTH.NET
Michelle Nunziata	315 NE 3rd Ave Ft. Laud. FL 33301	754-245-1457	fvca@flaglervillage.org
Dylan Lagi	817 NE 4th Ave, 33304	954-866-3850	create@massdistrict.com
Mark Lagson	777 + 741 [illegible] STHAVE	954-557-0394	Larzmarko@AOL.com
JAY ADAMS	954-401-9974	954-401-9974	Jay.Adams@ngk-f.com

SIGN IN SHEET

Project	Meeting Date
Holman – 8th Street Vacation	February 24, 2020

Name	Address	Phone	E-Mail
MICHAEL RECHTER	2411 EAST PROSPECT RD FT LAUDERDALE, FL 33334	(954) 224-4655	MIKER@INTEGRACORP.COM
Terry McKay	809 Progresso Dr.	954-763-5300	tmckay@floridalevel.com
JOHN Phillips	attorney	(954) 815 1350	JOHNPHILPA@AOL.com
TONY CRATTO	OCEANIC		
Mark Larson	Owner	954-557-0514	
Jay Davis	847 NE 2ND Ave	954.907.1400	CARTAGO DAVIS@ AOL.COM
Wm MARSHALL	735 NE 1ST AVE	954-288-4513	MINTMC@BELLSOUTH.NET
PETER LINCH	744 ANDREW AVE	917-667-9220	
RENATO RANCIC	744 N. ANDREW AVE	914-552-0030	
AARON GOLDSMITH	735 N.E. 1 AVE	305-794-2764	
Charles Carreno	21500 Biscayne Blvd Aventura	954 416-0341	ccarreno@bh3llc.com
Greg Freedman	21500 Biscayne Blvd, Aventura, FL 33180	954-416-3140	Greg@BH3LLC.com
Deena Gray	200 E. Broward Blvd Ft. Lauderdale, FL	9545272443	Deena.Gray@gmlaw.com

Page 3: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: _____BOARD OF ADJUSTMENT
_____HISTORIC PRESERVATION BOARD
X PLANNING AND ZONING BOARD
_____CITY COMMISSION

CASE NO. V19008

APPLICANT: Holman Automotive, Inc.

PROPERTY: 745 Progresso Drive & 810 NE 1 Avenue

PUBLIC HEARING DATE: November 18, 2020

BEFORE ME, the undersigned authority, personally appeared Christina Mathews, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates**.
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Christina Mathews
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 3 day of November 20 20.

(SEAL)

NATALIE BEDELL
Notary Public – State of Florida
Commission # GG 065714
My Comm. Expires Jan 24, 2021
Bonded through National Notary Assn.

NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. _____ **(initial here)**

_____ Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

Updated: 6/9/2014

PZB_AlleyROWApp

CITY OF FORT LAUDERDALE

PUBLIC NOTICE

PLANNING AND ZONING BOARD

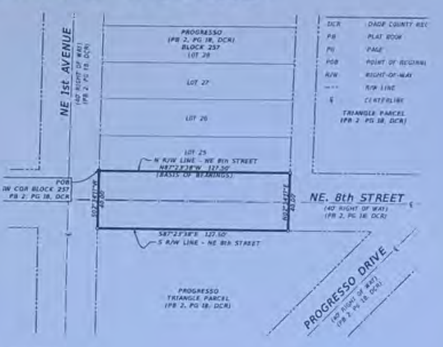
DATE: November 18, 2020

TIME: 6:00 P.M.

CASE: V19008

PROJECT: Holman's Vacation of ROW on Portion of NE 8th Street

REQUEST: Partial Vacation of Right-of Way and Retainment of Easement



PUBLIC PARTICIPATION OPTIONS

ATTEND IN-PERSON:
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FL 33301
Note: You'll be required to wear a mask and maintain 6-feet of social distance

OR

ATTEND VIRTUALLY:
WATCH AND LISTEN: www.fortlauderdale.gov/fltv
SIGN UP AND SPEAK: www.fortlauderdale.gov/government/PZB

INFORMATION: CONTACT (954) 828-4798

This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, it shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

CITY OF FORT LAUDERDALE

PUBLIC NOTICE

PLANNING AND ZONING BOARD

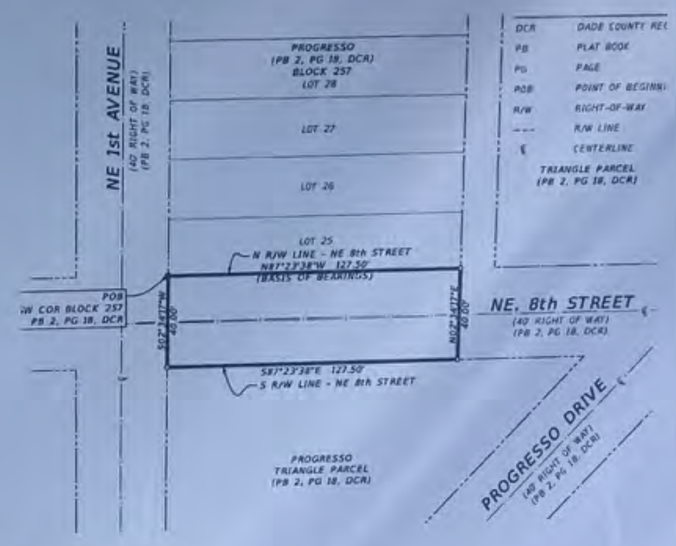
DATE: November 18, 2020

TIME: 6:00 P.M.

CASE: V19008

PROJECT: Holman's Vacation of ROW on Portion of NE 8th Street

REQUEST: Partial Vacation of Right-of Way and Retainment of Easement



PUBLIC PARTICIPATION OPTIONS

ATTEND IN-PERSON:
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FL 33301
Note: You'll be required to wear a mask and maintain 6-feet of social distance

OR

ATTEND VIRTUALLY:
WATCH AND LISTEN: www.fortlauderdale.gov/fltv
SIGN UP AND SPEAK: www.fortlauderdale.gov/government/PZB

INFORMATION: CONTACT (954) 828-4798

This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

CITY OF FORT LAUDERDALE

PUBLIC NOTICE

PLANNING AND ZONING BOARD

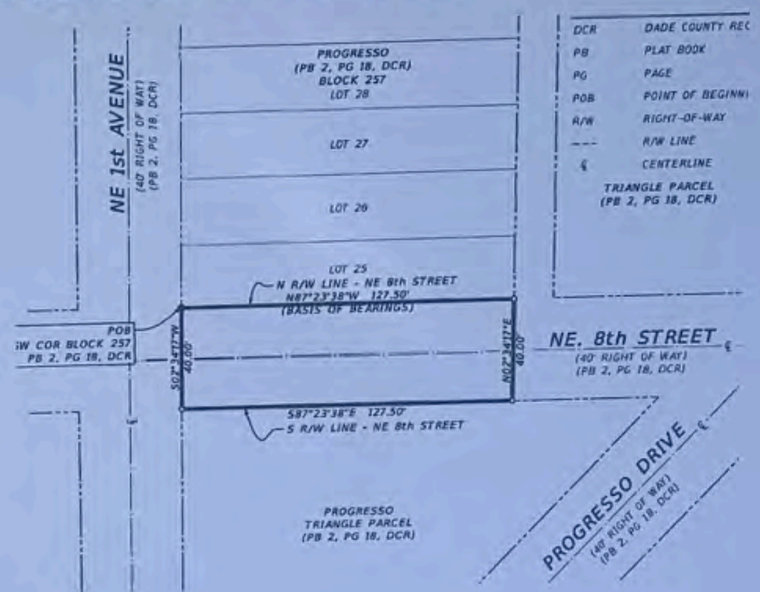
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CITY OF FORT LAUDERDALE

PUBLIC NOTICE

PLANNING AND ZONING BOARD

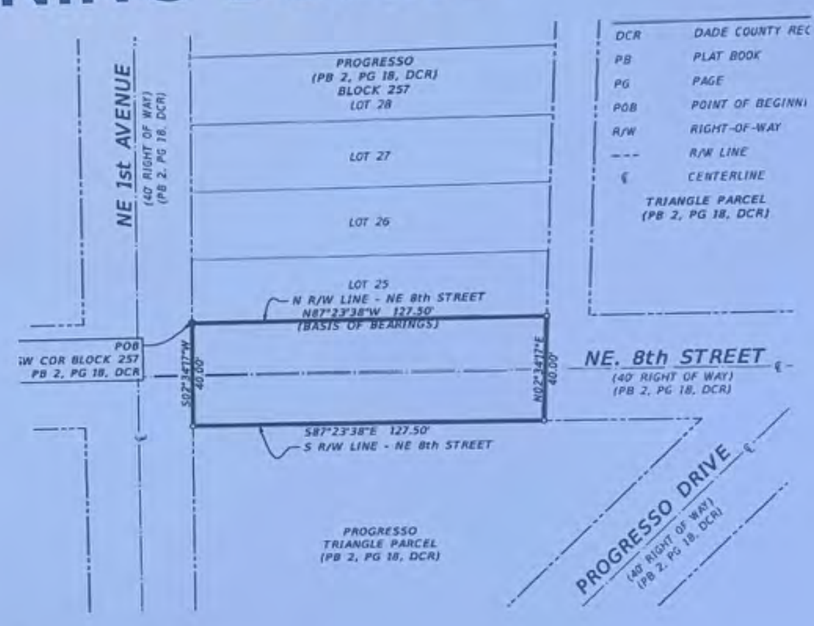
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LAW OFFICES
JOHN F. PHILLIPS, ESQ.
110 Tower Suite 1700
110 S.E. 6th Street
Ft. Lauderdale, Florida 33301
TELEPHONE (954) 765-1350
Fax:(954) 281-5881

John F. Phillips, P.A.*
***Admitted to practice in Florida,**
N.J., N.Y., and Colorado
E-Mail: JOHNPHILPA@aol.com

11/6/2020

Dept. of Sustainable Development
Urban Design and Planning Division
Attention: Adam Schnell Case V19008 Aschnell@fortlauderdale.gov
planning@fortlauderdale.gov EParker@fortlauderdale.gov brestrepo@fortlauderdale.gov
700 NW 19th Avenue
Fort Lauderdale, Florida 33311

Re: Case NO.: V19008
Re: V19008 Applicant: Holman Automotive
Vacation of ROW on portion of N.E. 8th Street between
NE 1st Avenue and Progresso Drive
P&Z Hearing Date/time: 11/18/2020 6:00 PM

Dear Mr. Schnell:

My client Anthony Curatola wishes to reiterate his strong objection to the requested Violation of ROW for the portion of NE 8th Street. His objections have been consistent and well documented from the beginning, and are concerned with the deleterious effect such will have on his property and that of the area.

Note that our attempts to sign up, fill out and submit the Speaker form on the P&Z Website, was unsuccessful, as the November 11/18/2020 date is not on the P&Z Board Website. If there is an alternative site or method, please advise. Please send me the modified plans that your office indicated were submitted.

Re: Case NO.: V19008
Re: V19008 Applicant: Holman Automotive
Vacation of ROW on portion of N.E. 8th Street between
NE 1st Avenue and Progresso Drive
P&Z Hearing Date/time: 11/18/2020 6:00 PM

While there have been informal meetings by the applicant and its counsel, (for example on 1/6/2020) my client and others listened to the proposal, made comments, and have filed objections. I am curious as to the acceleration of this matter to the P&Z, particularly as the City previously recommended against the closure.

Antonio Curatolo, my client, owns real estate parcels close to the subject of the above referenced DRC application which we understand and believe was correctly rejected in the DRC Comment Report dated 7/23/19. Based on the developments planned for the NW-RAC area, and the need for interconnectivity, pedestrian and vehicular traffic, City staff correctly recommended denial of the application for vacation of the above described street. Now the matter is before the P&Z for determination if the application is consistent with the ULDR. I am at a loss as to why, if at all, the City has apparently changed its recommendation, as previously the Staff recommended that the existing encroachment agreement dating back to 11/9/87 be terminated. Such action is important for the entire NW-RAC area from Andrews to Progresso Drive, and particularly as to the block between NE 8 Street and NE 9 Street. As my client owns 2 parcels on both sides of N.E. 1st Avenue which would be adversely affected by the vacation of the requested parcel, he vehemently objects and wants to affirm his support for the DRC's rejection of this request. Kindly file this in the file for dissemination to the P&Z Members who will be considering the matter. Kindly advise when the P&Z Website will be updated to allow my client to register as a speaker. Finally, provided the amended site plan you and I discussed.

Very truly yours,
John F. Phillips
John Phillips, Esq.

LAW OFFICES
JOHN F. PHILLIPS, ESQ.
2109 S.E. 19th Street
Ft. Lauderdale, Florida 33316
TELEPHONE (954) 765-1350
Fax:(954) 765-1975

John F. Phillips, P.A.*
***Admitted to practice in Florida, N.J., N.Y., and Colorado**
E-Mail: JOHNPHILPA@aol.com

August 7, 2019 Aschnell@fortlauderdale.gov, planning@fortlauderdale.gov
EParker@fortlauderdale.gov, brestrepo@fortlauderdale.gov

City of Fort Lauderdale Urban Design and Planning Division
700 NW 19th Ave
Fort Lauderdale, FL 33311

Re: V19008 Applicant: Holman Automotive
Vacation of ROW on portion of N.E. 8th St. b/t NE 1st Ave. and Progresso Dr.
My Client: Antonio Curatolo

Messrs. Schnell, Parker, Restrepo:

Please be advised that I represent Mr. Antonio Curatolo, who owns real estate parcels close to the subject of the above referenced DRC application, which we understand was correctly rejected in the DRC Comment Report dated 7/23/19. Based on the developments planned for the NW-RAC area, and the need for interconnectivity, pedestrian and vehicular traffic, City staff correctly recommended denial of the application for vacation of the above described street.

Furthermore, the Staff recommended that the existing encroachment agreement dating back to 11/9/87 be terminated. Such action is important for the entire NW-RAC area from Andrews to Progresso Drive, and particularly as to the block between NE 8 Street and NE 9 Street. As my client owns 2 parcels on both sides of N.E. 1st Avenue which would be adversely affected by the vacation of the requested parcel, he vehemently objects and wants to affirm his support for the DRC's rejection of this request by the applicant, and demands to be noticed on any matter, informal or formal between the City and the applicant. In the event that further appeal or other administration action is pursued by the applicant, Mr. Curatolo wants to be informed at every step of the way to make his objection known, so that he may be given an opportunity to participate, voice his opposition, and protect his interests.

Very truly yours,

John F. Phillips

JOHN F. PHILLIPS

March 7, 2020

DRC Committee
Planning & Zoning Board of Fort Lauderdale
Mayor and City Commission of Fort Lauderdale

Re: Holman Request for Street Closure

PROJECT NAME:	Holman's Vacation of ROW on Portion of NE 8th Street
CASE NUMBER:	V19008
REQUEST:	Vacation of Right-of-Way: 5,100 Square Foot Portion of NE 8th Street
LOCATION:	Portion of NE 8th Street right-of way, east of NE 1st Avenue and west of Progresso Drive

To Whom it May Concern:

Please be advised that I am the property owner of the land located at:
777 + 741 NE 1st AVE
FT Lauderdale FL 33304.

While I feel the Holman Parking Garage project is impressive, I would like to be on record as opposing any vacation of the N.E. 8th Street Right-of-Way east of N.E. 1st Avenue and West of Progresso Drive. I feel that the project should not require any street closure.

Thank you.

Mark Larson

Property Owner
Address: 7971 E 1st Ave
FT Lauderdale FL 33304
Phone: 954-554-0394
Email address: Larzmark@Aol.com

March 7, 2020

DRC Committee
Planning & Zoning Board of Fort Lauderdale
Mayor and City Commission of Fort Lauderdale

Re: Holman Request for Street Closure

PROJECT NAME:	Holman's Vacation of ROW on Portion of NE 8th Street
CASE NUMBER:	V19008
REQUEST:	Vacation of Right-of-Way: 5,100 Square Foot Portion of NE 8th Street
LOCATION:	Portion of NE 8th Street right-of way, east of NE 1st Avenue and west of Progresso Drive

To Whom it May Concern:

Please be advised that I am the property owner of the land located at:

825 NE 2ND AV.
811 NE 1ST AV
829 NE 1ST AV
822 NE 1ST AV
826 NE 1ST AV
818 NE 1ST AV
905 NE 3RD AV
907 NE 3RD AV
915 NE 3RD AV

While I feel the Holman Parking Garage project is impressive, I would like to be on record as opposing any vacation of the N.E. 8th Street Right-of-Way east of N.E. 1st Avenue and West of Progresso Drive. I feel that the project should not require any street closure.

Thank you.

ANTONIO / MARIA U. CURATOLO
Property Owner
Address: 825-B NE 2ND AV
F. LAUD - FLA 33304
Phone: 954-6001414
Email address: AC 49@ ATT.NET

March 7, 2020

DRC Committee
Planning & Zoning Board of Fort Lauderdale
Mayor and City Commission of Fort Lauderdale

Re: Holman Request for Street Closure

PROJECT NAME:	Holman's Vacation of ROW on Portion of NE 8th Street
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LOCATION:	Portion of NE 8th Street right-of way, east of NE 1st Avenue and west of Progresso Drive

To Whom it May Concern:

Please be advised that I am the property owner of the land located at:
735 - 731 N.E 1st (1) Progresso 2-18 D
LEGAL DESCRIPTIONS . LOT 6 TO 9 BLK 287
(2) Progresso 2-18 D
LOT 1, 2, BLK 287

While I feel the Holman Parking Garage project is impressive, I would like to be on record as opposing any vacation of the N.E. 8th Street Right-of-Way east of N.E. 1st Avenue and West of Progresso Drive. I feel that the project should not require any street closure. (3) Progresso 2-18 D
LOT 4 W 1/2 BLK 287
(4) Progresso 2-18 D
LOT 4 E 1/2 BLK 287

Thank you.

[signature]
Property Owner
Address: _____
_____
Phone: 305-763-2742
Email address: MINT MC aanow ON @bell.South.NET

March 7, 2020

DRC Committee
Planning & Zoning Board of Fort Lauderdale
Mayor and City Commission of Fort Lauderdale

Re: Holman Request for Street Closure

PROJECT NAME:	Holman's Vacation of ROW on Portion of NE 8th Street
CASE NUMBER:	V19008
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LOCATION:	Portion of NE 8th Street right-of way, east of NE 1st Avenue and west of Progresso Drive

To Whom it May Concern:

Please be advised that I am the property owner of the land located at:
809 Progresso Dr. Ft. Lauderdale, FL 33304.

While I feel the Holman Parking Garage project is impressive, I would like to be on record as opposing any vacation of the N.E. 8th Street Right-of-Way east of N.E. 1st Avenue and West of Progresso Drive. I feel that the project should not require any street closure.

Thank you.

TMckay

Property Owner
Address: 809 Progresso Dr.
Ft. Lauderdale, FL 33304
Phone: 954-763-5300
Email address: tmckay@floridalevel.com

March 7, 2020

DRC Committee
Planning & Zoning Board of Fort Lauderdale
Mayor and City Commission of Fort Lauderdale

Re: Holman Request for Street Closure

PROJECT NAME:	Holman's Vacation of ROW on Portion of NE 8th Street
CASE NUMBER:	V19008
REQUEST:	Vacation of Right-of-Way: 5,100 Square Foot Portion of NE 8th Street
LOCATION:	Portion of NE 8th Street right-of way, east of NE 1st Avenue and west of Progresso Drive

To Whom it May Concern:

Please be advised that I am the property owner of the land located at:
847 NE 2ND AVE
_____.

While I feel the Holman Parking Garage project is impressive, I would like to be on record as opposing any vacation of the N.E. 8th Street Right-of-Way east of N.E. 1st Avenue and West of Progresso Drive. I feel that the project should not require any street closure.

Thank you.

Jay P. Weed
Property Owner
Address: 847 NE 2ND AVE
Phone: 954.907.1400
Email address: CERTIFIED1PASING @ AOL.COM

March 7, 2020

DRC Committee
Planning & Zoning Board of Fort Lauderdale
Mayor and City Commission of Fort Lauderdale

Re: Holman Request for Street Closure

PROJECT NAME:	Holman's Vacation of ROW on Portion of NE 8th Street
CASE NUMBER:	V19008
REQUEST:	Vacation of Right-of-Way: 5,100 Square Foot Portion of NE 8th Street
LOCATION:	Portion of NE 8th Street right-of way, east of NE 1st Avenue and west of Progresso Drive

To Whom it May Concern:

Please be advised that I am the property owner of the land located at:
900 NE 3rd Ave Fort Lauderdale, FL 33304
_____.

While I feel the Holman Parking Garage project is impressive, I would like to be on record as opposing any vacation of the N.E. 8th Street Right-of-Way east of N.E. 1st Avenue and West of Progresso Drive. I feel that the project should not require any street closure.

Thank you.

Matthew J Brock
Property Owner
Address: 900 NE 3rd Ave
Fort Lauderdale, FL 33304
Phone: 954-224-9391
Email address: matt@builders-bargain.com

October 27, 2020

Meeting Notice: Planning and Zoning Board

Dear Property Owner:

The Planning and Zoning Board, acting as the Local Planning Agency (LPA), will hold a public hearing on **Wednesday, November 18, 2020 at 6:00 P.M.** in the City Commission Chambers, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL to determine whether the following application is found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan and the City's Unified Land Development Code (ULDR). A description of the proposed request is provided below. To view more information about this item, please visit: https://www.fortlauderdale.gov/government/PZB. A virtual meeting option is also available, information below.

Case Number:	V19008
Requests:	Vacation of Right-of-Way
Legal Description:	A PORTION OF N.E. 8TH STREET 40' RIGHT-OF-WAY AS DEDICATED BY PROGRESSO ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 257 OF SAID PLAT RUN SOUTH 02°34' 17" WEST, 40.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8TH STREET; THENCE RUN SOUTH 87°23'38" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8TH STREET, 127.50 FEET; THENCE RUN NORTH 02°34'17" EAST, 40.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8TH STREET; THENCE RUN NORTH 87°23'38" WEST (BASIS OF BEARINGS ON AN ASSUMED MERIDIAN) ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID N.E. 8TH STREET, 127.50 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.
General Location:	Between NE 1st Avenue and Progresso Drive and North of 745 Progresso Drive and South of 810 NE 1st Avenue.
Commission District:	2 – Steve Glassman

The virtual meeting option will be accessible through the City's local government access channel- FLTV at: https://www.fortlauderdale.gov/fltv.

Should you desire to speak virtualy on this item, please fill out the speaker form available at this link on the City's website: https://www.fortlauderdale.gov/government/PZB.

You may also send comments to: Department of Sustainable Development
Urban Design and Planning Division
Attention: Adam Schnell, Case V19008
700 N. W. 19 Avenue Fort Lauderdale, Florida, 33311

You may also send an email to: Aschnell@gmail.gov

Sincerely,

Adam Schnell , Urban Planner II, Case Planner
Urban Design and Planning Division

If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk at (954) 828-5002 two (2) days prior to the meeting and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.



V19008

Path: J:\DSD\DRCLocationMaps_16_RM\ArcMap\PZ20201118\V19008.mxd

0 50 100 200 Feet

Graphic Scale